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AO 91 (Rev. 11/11) Criminal Complaint

AUSA Brian Kerwin (312) 886-1328

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

DAVID WALSH

MAGISTRATE JUDGE KIM

CASE NUMBER:

18CR 450

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about July 14, 2018, at Chicago, in the Northern District of Illinois, Eastern Division, the defendant violated:

*Code Section*Title 18, United States Code, Section  
2113(a)*Offense Description*

by intimidation, took from the person and presence of bank employees approximately \$3,700 in United States Currency belonging to and in the care, custody, control, management, and possession of the US Bank located at 4725 North Western Ave, Chicago, Illinois, the deposits of which were then insured by the Federal Deposit Insurance Corporation

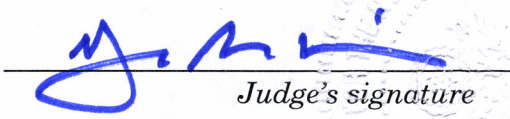
This criminal complaint is based upon these facts:

X Continued on the attached sheet.

  
JEREMY R. BAUER

Special Agent, Federal Bureau of Investigation

Sworn to before me and signed in my presence.

Date: July 25, 2018City and state: Chicago, Illinois  
*Judge's signature*

Young B. Kim, U.S. Magistrate Judge

*Printed name and Title***FILED**JUL 25 2018 THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SS

**AFFIDAVIT**

I, JEREMY R. BAUER, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation, and have been so employed since 2015. I am currently working as part of the FBI Chicago Violent Crimes and Fugitive Task Force. My current responsibilities include the investigation of violent crimes, including, among others, kidnaping, bank robbery, and the apprehension of violent fugitives.

2. This affidavit is submitted in support of a criminal complaint alleging that DAVID WALSH has violated Title 18, United States Code, Section 2113(a).

3. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging WALSH with bank robbery, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

4. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents, and information that appears in law enforcement records, interviews of witnesses, my review of surveillance videos records, surveillance photographs, and my training and experience, as well as the training and experience of other law enforcement agents.

## **I. FACTS SUPPORTING PROBABLE CAUSE TO ARREST DAVID WALSH**

5. In summary, and as described further below, based on video surveillance images, witness interviews, law enforcement surveillance, and information obtained from law enforcement databases, there is probable cause to believe that DAVID WALSH robbed the US Bank located at 4725 North Western Avenue, Chicago, Illinois, on July 14, 2018.

### **July 14, 2018 Robbery of US Bank**

6. According to video surveillance images provided by US Bank, which I have reviewed, on July 14, 2018, at approximately 12:54 p.m., a male individual wearing a clear mask, a navy blue-colored knit hat, a black polo shirt over a white undershirt, dark pants, clear gloves, a dark-colored watch with shiny material on the side, and gray shoes (the “robber”) entered US Bank located at 4725 North Western Avenue, Chicago, Illinois. The robber approached the teller counter and was carrying a black revolver with a brown handle as well as a black umbrella.

7. According to Teller A, who was working at the bank, the robber approached Teller A’s counter and stated something to the effect of, “100’s, 50’s, 20’s.” The robber then left Teller A’s counter and approached Manager A’s counter.

8. Teller A described the robber as a male, possibly white, between 30 and 50 years old, approximately 5’10” in height with a normal build, carrying an umbrella, and wearing a transparent “clown” mask with black around the mouth, a navy blue skull cap, dark clothing, and gloves.



9. According to Manager A, who was also working at the bank, the robber approached Manager A's counter and stated something to the effect of, "100's, 50's, 20's." The robber then turned to Teller B, who was also behind the teller counter, and again stated something to the effect of, "100's, 50's, 20's." According to Manager A, the robber then pulled out a black gun with a brown handle and stated in sum and substance, "I'm not playing." Both Manager A and Teller B then gave the robber money from the teller counter. According to Manager A, as the robber took the money, the robber stated something to the effect of, "No security." Manager A, saw the robber tuck the money into his shirt and leave the bank.

10. Manager A described the robber as a white male in his 60's, approximately 5'9" in height with a thin build, wearing a clear plastic mask with eye holes and pink lips, a dark-colored wool hat, and a black short-sleeved polo shirt, and carrying a black umbrella.

11. According to Teller B, Teller B observed the robber enter the bank carrying an opened black umbrella. Teller B then observed the robber first approach Teller A's counter and then move to Manager A's counter. According to Teller B, the robber was wearing a clear, plastic "clown" mask. According to Teller B, after the robber stated something to the effect of, "100's, 50's, 20's" to Manager A, the robber pulled out a gun and displayed it to Teller B and Manager A. After Manager A and Teller B gave the robber money from their teller drawers, the robber placed the money in his shirt and left the bank.



12. Teller B described the robber as a male, in his late 40's to 50's, approximately 5'5" in height with a skinny build, weighing approximately 140 to 150 pounds, wearing a clear plastic "clown" mask, a navy beanie, a short-sleeved dark shirt, and carrying a black umbrella.

13. Audit documentation provided by US Bank showed that approximately \$3,700 was taken during the robbery. In addition, documentation provided by US Bank showed that on July 14, 2018, US Bank's deposits were insured by the Federal Deposit Insurance Corporation.

**Observations of Witness A Outside the Bank**

14. According to Witness A, around the time of the robbery, Witness A was sitting in a parked car, just outside the US Bank's front door on the east side of North Western Avenue. According to Witness A, a male individual walked across Western Avenue and attempted to back into the bank's entryway while holding an open umbrella. Witness A described the male individual as approximately 5'9" in height with a "shiny" face. According to Witness A, the male individual dropped a black rubber door stopper under the bank's front door, which propped the doors open, and entered the bank. Witness A then saw the male exit the bank and grab the door jams from under the bank's front doors.

15. According to Witness A, the male individual then ran across North Western Avenue toward the west side of the street where he dropped an object that appeared to be a holster for a gun. Witness A observed the male individual pick up this object and continue west across North Western Avenue. Witness A further

observed the male individual enter a parking lot directly across from the US Bank. According to Witness A, the male individual then turned left into an alley located behind the buildings across the street from US Bank. Witness A then observed the male individual heading south in the alley, which based on maps I reviewed, is in the direction of the Chicago Transit Authority's Western Avenue Brown Line "L" station. Based on my review of a map of the area, the CTA Western Avenue Brown Line station is approximately one block from US Bank.

### **The Identification of WALSH as the Robber**

16. The FBI obtained a surveillance video from an apartment building located at 4700 North Western Avenue, which is located across the street from US Bank. According to the video footage from July 14, 2018 in or around the time of the bank robbery (the "4700 Western Avenue Video"), a white male individual enters the alley that runs north-south behind 4700 North Western Avenue – the alley that is behind the apartment building across the street from US Bank. The video shows the male individual setting what appears to be a brown-handled gun in a black holster and a black umbrella on the ground. The male then removes plastic gloves from his hands, a navy knit hat, and what appears to be a clear mask from his face. The male next takes off his black sweatpants to reveal a pair of light-colored pants underneath. The male then removes his black shirt, retrieves a black bag from between two trash cans, removes a light blue polo shirt from the bag, and puts the shirt on. The male places all of his removed belongings, except for his umbrella, into the black bag. The male then picks up the bag, opens the umbrella, and begins to



walk south in the alley in the direction of the CTA Western Avenue Brown Line station, which is less than one block south of 4700 North Western Avenue.

17. According to a still photograph obtained from CTA's surveillance video of the Western Avenue Brown Line station, which I have reviewed, on July 14, 2018 at approximately 1:00 p.m., a white male individual matching the description of the individual depicted in the 4700 Western Avenue Video was in the Brown Line station. According to Ventra records, a card registered to a DAVID WALSH with a date of birth and an ID number ending in 0078 was swiped at the Western Avenue Brown Line station on July 14, 2018 at approximately 1:00 p.m.

18. According to information obtained from law enforcement databases, WALSH has an Illinois State Identification card with a number ending in 359W, and is approximately 5'9" in height and 180 pounds. I have reviewed a December 2017 booking photo of WALSH associated with a prior arrest by the Chicago Police Department. The individual depicted in this booking photo is the same individual depicted in the 4700 Western Avenue Video and the CTA surveillance video footage from July 14, 2018.

#### **Statements and Observations of Confidential Witness**

19. On July 20 and 21, 2018, a confidential witness (the "CW") provided information to the FBI about an individual the CW knew as "David."<sup>1</sup> According to

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<sup>1</sup> CW has not been promised anything for CW's cooperation, or been paid for his/her services and expenses in connection with in this investigation. According to the CW, he/she had previously worked as a compensated law enforcement informant. The CW has prior theft and property-related convictions, a harassment-related conviction, and a conviction related to a FOID card.



the CW, on July 13, 2018, the CW met a "David Wells" at a senior recreation center located at 2019 West Lawrence Avenue, Chicago, Illinois. During that meeting, "David" asked the CW whether the CW wanted to make some money. According to the CW, "David" then showed the CW a black bag, which contained a clear mask, clear gloves, and a big black revolver in a holster. Also according to the CW, "David" suggested that they could make money by robbing a bank. "David" then explained, in sum and substance, that they could make more money doing "smaller quick jobs" than "one big job." The CW declined to help "David."

20. The CW described "David" as white male older than 60 years of age, approximately 6' to 6'1" in height, and with blonde hair.

21. According to the CW, on approximately July 20, 2018, "David" again approached the CW at the senior recreation center and asked the CW whether the CW would "drive" him so that he ("David") could "get quick money by making quick grabs." The CW again declined. "David" then stated that he might buy his own car. According to a law enforcement database, DAVID WALSH was issued an instructional permit driver's license on or about July 20, 2018.

22. According to the CW, on July 23, 2018, "David" asked the CW if the CW would be at the senior recreation center the following day. The CW responded in the affirmative. "David" stated that he wanted the CW to drive him around the next day to "mark a spot," and would pay the CW for gas.

**WALSH's Arrest on July 24, 2018**

23. On July 24, 2018, at approximately 8:00 a.m., the FBI equipped the CW with two audio recording devices.<sup>2</sup> At approximately 11:10 a.m., I observed WALSH walking northbound on Damen Avenue towards the senior recreation center located at 2019 West Lawrence Avenue, Chicago, Illinois. FBI agents further observed WALSH enter the center and, shortly thereafter, exit the center and enter the CW's car. Agents observed WALSH carrying a black bag and wearing what appeared to be the same blue polo shirt, light-colored pants, and grey shoes that the robber was recorded wearing in the 4700 Western Avenue Video and the CTA surveillance image following the robbery of the US Bank on July 14, 2018. At approximately 11:25 a.m., FBI agents observed the CW and WALSH leave the parking lot of the senior recreation center.

24. According to the CW, at some point during the time the CW was with "David" on July 24, 2018, "David" told the CW something to the effect of, "I have a place in mind to get quick cash. It's near Milwaukee and Central." According to the CW, "David" was looking for "20s, 50s, and 100s."

25. At approximately 11:43 a.m., FBI agents observed the CW's vehicle in the area of a TCF Bank located at 4930 North Milwaukee Avenue, Chicago, Illinois. Shortly thereafter, agents observed the CW's vehicle enter a parking lot of a medical center located at 4920 North Central Avenue, Chicago, Illinois, which is

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<sup>2</sup> While the first audio recording device did not technically malfunction, the recording contained significant background noises, which rendered inaudible most of the recorded conversations. The second audio recording device malfunctioned.



approximately two blocks from the TCF Bank. WALSH then exited the vehicle and changed his clothes while standing outside next to the passenger side of the CW's car. Agents observed WALSH place a black bag on the trunk of the car. WALSH then took off his blue polo shirt and put on a black polo shirt. Agents also observed WALSH putting black pants over the light-colored pants that he was wearing. WALSH then placed the blue polo shirt into the black bag, and put an object in the front waistband of his pants. At approximately 11:55 a.m., agents observed WALSH and the CW return to the CW's car and drive out of the parking lot.

26. According to law enforcement surveillance, the CW's car then circled the TCF Bank located at 4930 North Milwaukee Avenue before parking in the bank's parking lot. Agents observed WALSH, who was seated in the front passenger seat of the CW's car, hold a clear plastic mask up to his face. WALSH then lowered the mask and raised the mask again against his face, at which point the agents arrested WALSH.

27. At the time of his arrest, WALSH had a clear plastic mask, a navy knit cap, and clear plastic gloves in his lap. The mask had black eyebrows, a black moustache painted above the mouth area, and pink lips. Based on my review of the surveillance image from US Bank and information obtained from witnesses, the mask found on WALSH, as well as his clothing, matched the items worn by the robber on July 14, 2018 and the individual depicted in the 4700 Western Avenue Video and the CTA surveillance image. WALSH was also wearing a watch with a



black face and light-gold casing, which appears to be similar to the watch worn by the robber on July 14, 2018 based on the US Bank surveillance images.

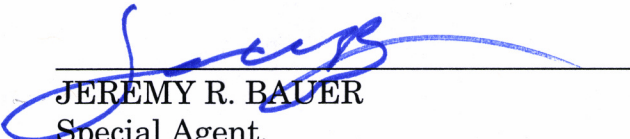
28. Agents also observed a blue polo shirt inside an open black bag, which was on WALSH's lap. Based on my review of the 4700 Western Avenue Video and the CTA surveillance image from the July 14, 2018 US Bank robbery, the blue polo shirt matched the shirt worn by the individual depicted in both the video and surveillance image.

29. At the time of WALSH's arrest, WALSH also had a wallet on his person containing an Illinois State Identification card in the name of DAVID WALSH with an identification number ending in 359W, and a Ventra card in his name with the same identification number as the card used at the CTA Western Brown Line station shortly after the US Bank robbery on July 14, 2018. Agents also recovered a loaded black revolver with a brown handle from WALSH's front waistband, and two black door stoppers from the left front pocket of WALSH's black sweatpants.

**CONCLUSION**

30. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that, on or about July 14, 2018, DAVID WALSH, by intimidation, took from the person and presence of bank employees approximately \$3,700 in United States Currency belonging to and in the care, custody, control, management, and possession of a bank, namely US Bank located at 4725 North Western Avenue, Chicago, Illinois, the deposits of which were insured by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).

FURTHER AFFIANT SAYETH NOT.

  
JEREMY R. BAUER  
Special Agent,  
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on July 25, 2018.

  
YOUNG B. KIM  
United States Magistrate Judge